

**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS MEETING
MONDAY, MAY 16, 2011, 10:00 A.M.
INDIANA GOVERNMENT CENTER SOUTH,
402 W. WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

David Demuth, President
Diane Weisheit, Vice President
Diana Bonn
Gary Odell
Joseph Barsic
Dr. Rebecca Bushong

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Tina Wiseley, Assistant Director
Philip Thompson, Deputy Attorney General

**MINUTES TRANSCRIBED AND
COMPILED BY:**

Tracy Hicks, Board Director

**MINUTE 11-59
CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

The committee meeting was called to order at 10:00 a.m. by D. Demuth pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**MINUTE 11-60
ADOPTION OF THE AGENDA**

D. Weisheit moved to adopt the agenda as amended. G. O'Dell seconded the motion. Motion carried.

**MINUTE 11-61
ADOPTION OF THE MINUTES OF THE MARCH 21, 2011 MEETING OF THE STATE BOARD OF
COSMETOLOGY AND BARBER EXAMINERS**

D. Bonn moved to approve the minutes of the March 21, 2011 meeting of the State Board of Cosmetology and Barber Examiners as amended. G. O'Dell seconded the motion. Motion carried.

**MINUTE 11-62
ADMINISTRATIVE HEARING IN THE MATTER OF TOAN MINH TRAN, BC20909305, SBCBE 11-07**

D. Weisheit moved to find Toan Minh Tran, BC20909305, SBCBE 11-07, in Default. D. Bonn seconded the motion. Motion carried.

D. Bonn moved that the state prove its case and impose a fine of \$1000 for each of the three counts to be paid within sixty (60) days from the date of the final order, pay the costs of the proceedings, and suspend the license indefinitely with no right to petition for reinstatement for thirty (30) days from the date of the final order. R. Bushong seconded the motion. Motion carried.

MINUTE 11-63**ADMINISTRATIVE HEARING IN THE MATTER OF JC NAILS, MS30701124, SBCBE 11-29**

D. Bonn moved to find JC Nails, MS30701124, SBCBE 11-29 in violation of count I and II and place the license on indefinite probation with no right to petition for withdrawal for a period of six (6) months, impose a fine of \$1000 per violation to be paid within six (6) months, impose costs of proceedings, and require a personal appearance before the board once in six (6) months, D. Weisheit seconded the motion. Motion carried.

MINUTE 11-64**ADMINISTRATIVE HEARING IN THE MATTER OF TOLAN N. NGUYEN, MA20001478, SBCBE 08-15**

D. Weisheit moved to reinstate the license in the matter of Tolan N. Nguyen, MA20001478, SBCBE 08-15. R. Bushong seconded the motion. Motion carried.

MINUTE 11-65**ADMINISTRATIVE HEARING IN THE MATTER OF THANH L. VU, MA29601776, SBCBE 08-37**

D. Weisheit moved to issue a notice of proposed dismissal in the matter of Thanh L. Vu, MA29601776, SBCBE 08-37. R. Bushong seconded the motion. Motion carried.

MINUTE 11-66**ADMINISTRATIVE HEARING IN THE MATTER OF RACHELLE CHANDLER, BC20601930, SBCBE 10-45**

D. Bonn moved that Rachelle Chandler, BC20601930, SBCBE 10-45 provided proof that she has been released from criminal probation and probation should be removed. R. Bushong seconded the motion. Motion carried.

MINUTE 11-67**PERSONAL APPEARANCES**

1. U.S. Nails, ISBC 98-30 – failed to appear. D. Bonn moved to issue a notice to show cause. R. Bushong seconded the motion. Motion carried.
2. Hoang M. Do, SBCE 07-55 - failed to appear. D. Bonn moved to issue a notice to show cause. D. Weisheit seconded the motion. Motion carried.
3. Nail Expo, SBCE 08-17 – Appeared and filed a report.
4. Today's Nails/Tan, SBCE 09-02 - Appeared
5. Rose Nails, SBCE 10-15 – Appeared. Said he would pay fine by next week.

MINUTE 11-68**PERSONAL APPEARANCES AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL**

1. Kurt Watson, BC29400509 – Appeared D. Weisheit moved to approve the application for renewal. D. Bonn seconded the motion. Motion carried.
2. Joseph Hatchett, BC29700237 – Failed to appear. D. Weisheit moved to deny the application for renewal. D. Bonn seconded the motion. Motion carried.

MINUTE 11-69**PERSONAL APPEARANCES AND CONSIDERATION OF REQUEST FOR ISSUANCE OF A PERMANENT LICENSE**

1. Hecuva Lambaren, MAP1000002, Issued 3/15/10 – R. Bushong moved to approve issuance of a manicurist license. D. Weisheit seconded the motion. Motion carried.
2. Alberto Medina Portillo, BCP1000010, Issued 5/19/10 – D. Bonn moved to approve issuance of a manicurist license. R. Bushong seconded the motion. Motion carried.
3. Carlos M. Escobedo, BCP1000009, Issued 5/19/10 – D. Bonn moved to approve issuance of a manicurist license. D. Weisheit seconded the motion. Motion carried.
4. Ivonne Salas, BCP1000007, Issued 3/16/10 – D. Bonn moved to approve issuance of a manicurist license. D. Weisheit seconded the motion. Motion carried.

MINUTE 11-70**CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S ORDERS**

D. Weisheit moved to affirm the Administrative Law Judge's Orders in the matter of Janua Lea Riley, SBCBE 11-15, Robin A. Petersen, SBCBE 11-17, Phuong Diem Ngo, SBCBE 11-18, Faith C. Julian, SBCBE 11-21, and Kevin Stephens, SBCBE 11-22. D. Bonn seconded the motion. Motion carried.

MINUTE 11-71**CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S NOTICE OF PROPOSED DISMISSAL ORDERS**

D. Weisheit moved to issue a dismissal order in the matter of Jade Nails, SBCBE 11-19. R. Bushong seconded the motion. Motion carried.

D. Weisheit moved to issue a dismissal order in the matter of Elisabeth H. Culwell, SBCBE 11-20. D. Bonn seconded the motion. Motion carried.

MINUTE 11-72**CONSIDERATION OF PROPOSED SETTLEMENTS**

D. Weisheit moved to accept the proposed settlement in the matter of Perfect Nails, MS30701132, SBCBE 10-36. R. Bushong seconded the motion. Motion carried.

D. Weisheit moved to accept the proposed settlement in the matter of Nails, II, MS30000881, SBCBE 10-55. R. Bushong seconded the motion. Motion carried.

MINUTE 11-73**CONSIDERATION OF APPLICATIONS FOR RENEWAL**

D. Weisheit moved to approve the application for renewal of cosmetology salon license in the matter of Shila's Beauty Shop, BS39400648. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to deny the application for renewal of manicurist salon license in the matter of MS39500670 and refer the matter to the Office of the Attorney General. D. Bonn seconded the motion. Motion carried.

MINUTE 11-74**DISCUSSION OF RENEWAL PROCESS FOR INDIVIDUALS RENEWING THREE YEARS OR MORE PAST THEIR EXPIRATION DATE**

It is the board's policy that the examination shall be required for all individuals expired more than three years. This requirement will not be waived.

MINUTE 11-75**AGENDA AMENDED REGARDING SALON RENEWAL APPLICATIONS**

D. Weisheit moved to amend the agenda to add salon renewal applications in the matter of Sheila's Beauty Shop, BS39400648 and California Nails, MS39500670. R. Bushong seconded the motion. Motion carried.

D. Weisheit moved to approve the cosmetology salon renewal application in the matter of Sheila's Beauty Shop, BS39400648. R. Bushong seconded the motion. Motion carried.

D. Weisheit moved to deny the manicurist salon renewal application in the matter of California Nails, MS39500670 for practicing on an expired license. R. Bushong seconded the motion. Motion carried.

MINUTE 11-76**CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 4-1-5(d), COMPLETION OF EDUCATION WITHIN THREE YEARS OF ENROLLMENT**

D. Weisheit moved to grant the request for waiver of 820 IAC 4-1-5(d) in the matter of Valerie L. Hill and allow her one year to graduate from cosmetology school. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 4-1-5(d) in the matter of Shana Oakley and allow her three months to graduate from cosmetology school. D. Weisheit seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 4-1-5(d) in the matter of Victoria Thomas and allow her three months to graduate from cosmetology school. R. Bushong seconded the motion. Motion carried.

MINUTE 11-77**CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b), FIRST ATTEMPT EXAMINATION WITHIN ONE YEAR OF GRADUATION**

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to sit for the examination in the matter of Amber Finch. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow her to apply for her license in the matter of Alisha Manuel. D. Weisheit seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to sit for the examination in the matter of Chelsea Reams. D. Weisheit seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to sit for the examination in the matter of Susan Stewart. R. Bushong seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to apply for the license in the matter of Alma Maldonado. D. Bonn seconded the motion. Motion carried.

MINUTE 11-78**GRANTING OR DENYING PETITION FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE**

D. Weisheit moved to grant the petition for review and appoint D. Demuth as the Administrative Law Judge in the matter of Cassandra Jeanette Smith, Loan Thi Phuong Kacak, Diemhuong Ngoc Tran, California Nails, and Top Nails. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to grant the petition for review and appoint G. O'Dell as the Administrative Law Judge in the matter of Janua Riley. D. Bonn seconded the motion. Motion carried.

MINUTE 11-79**APPLICATION COMMITTEE REPORT**

D. Weisheit moved to accept the following application committee report as follows. R. Bushong seconded the motion. Motion carried.

COSMETOLOGIST RECIPROCITY APPLICATIONS

Griglin, Lynn M. – APPROVED

Ngo, Tien My – APPROVED

COSMETOLOGIST PROVISIONAL APPLICATIONS

Garcia Ramirez, Belen – DENIED – UNLICENSED PRACTICE – IC 25-1-11-19(b)(1)

Gelvy Raquel Buitrago Monsalve – APPROVED

Zapata, Indiana – DENIED – UNLICENSED PRACTICE & NOT SUFFICIENT TRAINING OR
EXPERIENCE – IC 25-1-11-19(b)(1) & IC 25-8-4-2.9(b)

ESTHETICIAN RECIPROCITY APPLICATIONS

Gargiulo, Jennifer Suzanne – DENIED – LICENSE IS EXPIRED IN OTHER JURISDICTIONS – IC 25-8-4-2(a)(1)

Heron, Jessica Blu – DENIED – NOT ENOUGH EDUCATION AND WORK EXPERIENCE COMBINED
– IC 25-8-4-2(a)(2) & IC 25-8-4-2(b)

ESTHETICIAN PROVISIONAL APPLICATION

Soto Cornejo, Samantha – DENIED – NOT SUFFICIENT TRAINING OR EXPERIENCE
– IC 25-8-12.5-8(b)(1)

BARBER EXAMINATION APPLICATION

Soward, Alyssa – DENIED – DOES NOT MEET EDUCATION REQUIREMENT – IC 25-8-12.1(2)

BARBER PROVISIONAL APPLICATION

Castillo, Ramon Antonio – APPROVED

INSTRUCTOR EXAMINATION APPLICATION

Hicks, Jason Michael – APPROVED

Soward, Alyssa – Denied (crossover student from cosmo school to barber school)

COSMETOLOGY SALON APPLICATION

Hair Doctor Maureen - APPROVED

Gerrys Styling Salon – APPROVED

First Impressions by Terri – APPROVED

Rosegate Hair Salon - APPROVED

MANICURING SALON APPLICATION

T Nails & Spa – APPROVED

ESTHETIC SALON APPLICATION

California Nails – DENIED – ESTHETICS AREA IS NOT IN A SEPARATE ROOM – 820 IAC 3-2-10(b)

MINUTE 11-80

RULES COMMITTEE REPORT

No report.

MINUTE 11-81
ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 4:15 p.m.

DATED: 7/18/11

David Demuth
DAVID DEMUTH, PRESIDENT

Tracy Hicks
ATTEST BY:

TRACY HICKS, BOARD DIRECTOR